UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,259	08/07/2001	Daniel Lyakovetsky	MM4459	4902

			EXAMINER
7590	01/12/2004		LY, ANH

Anderson Kill & Olick, P.C.
42nd Floor
1251 Avenue of the Americas
New York, NY 10020

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/924,259	LYAKOVETSKY ET AL.
	Examiner	Art Unit	
	Anh Ly	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 August 2001</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>07 August 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   This Office Action is response Applicants' communications filed on 08/07/2001.

2.   Claims 1-9 are pending in this application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No. 6,502,102 issued to Haswell et al. (hereinafter Haswell.

With respect to claim 1, Haswell discloses identifying the events that occur while

accomplishing a given task (the events are stored in the metadata database table for

maintaining information the type of events of a given task, the massage of a policy: col.

20, lines 35-67);

recording in memory the operation of a human operator interacting with a

graphical user interface of a computer to form one or more emulated responses to each

event representing event handlers for performing the task (the events are stored in the

database table: see fig. 15, col. 19, lines 20-67 and col. 20, lines 1-67 and col. 21, lines

1-10; and col. 11, lines 55-67 and col. 12, lines 1-25: GUI to get result information from

event loop);

forming a collection of events for such task and a collection of the recorded

emulated event handlers corresponding to each event in such task (collection event for

implement event handling: col. 20, lines 1-67 and col. 23, lines 1-40);

selecting a batch of file records that require the task to be performed to execute

changes and/or revisions from a database of file records (col. 103, lines 50-67 and col.

105, lines 1-45);

loading a specified task and the collection of events and emulated event

handlers for such task into a computer (the event in the event loop is being loaded: col.

11, lines 55-67 and col. 12, lines 1-25); and

executing the task on the selected file record by matching each emulated event

handler in memory to a given event (event loop to be executed col. 12, lines 1-67).

Haswell discloses event handler using events storing in the database table of a policy task application. The events are loaded and executed via an event loop in the application program and displayed in the display screen via GUI. Haswell does not clearly teach emulated responses to each event.

However, Haswell teaches the event messages are displayed, information relating to the event (col. 19, lines 22-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize the event massages as emulated responses for each event based on the severity of event as taught by Haswell because it would have made the process for updating and retrieving the event from the database table with a given task such as a policy of events.(col. 21, lines 1-67 and col. 22, lines 1-64).

With respect to claim 2, Haswell discloses wherein the events loaded into the computer arc randomly executed with each event being matched to an event handler until the last event occurs at which time the task is deemed successful and another task is loaded for execution (col. 11, lines 55-67 and col. 12, lines 1-25).

With respect to claim 3, Haswell discloses wherein if no response is found that matches an event the task is deemed unsuccessful followed by the step of either loading another file for modification or another task (event loop for events: col. 12, lines 6-65)..

With respect to claims 4-5, Haswell discloses further comprising updating file records when a task is deemed unsuccessfully executed followed by providing a

printout of the unsuccessful claim file and wherein the file records are selected

consecutively for implementing a given task (col. 63, lines 57-67; also see col. 19, lines

20-67 for event database table).

With respect to claims 6-8, Haswell discloses minimizing the interactions in the

emulation procedure to optimize the selection of event handlers for each event so as to

reduce or eliminate unnecessary steps; wherein each emulated task is parameterized

to include variables as a substitute for fixed values entered by the operator in response

to an event and wherein the recording of each event for each task is analyzed to

determine that all possible events needed to accomplish a specified task have been

performed and if not the emulation procedure is repeated (col. 7, lines 34-60; and col.

19, lines 20-67).

With respect to claim 9, Haswell discloses rerunning the task until the recorded

emulated event handlers successfully reproduce the actions of the claims processor

(col. 20, lines 35-67 and col. 21, lines 1-10).

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is 703 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on 703 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703 746-7239.

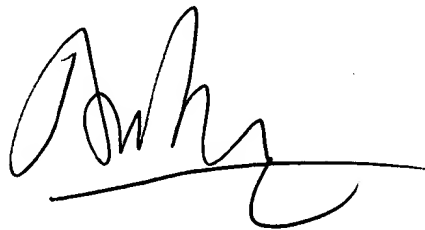Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Office (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-6606 or 703 305-3900.

AL
JAN. 8th, 2004

Anh Ly   01/09/04